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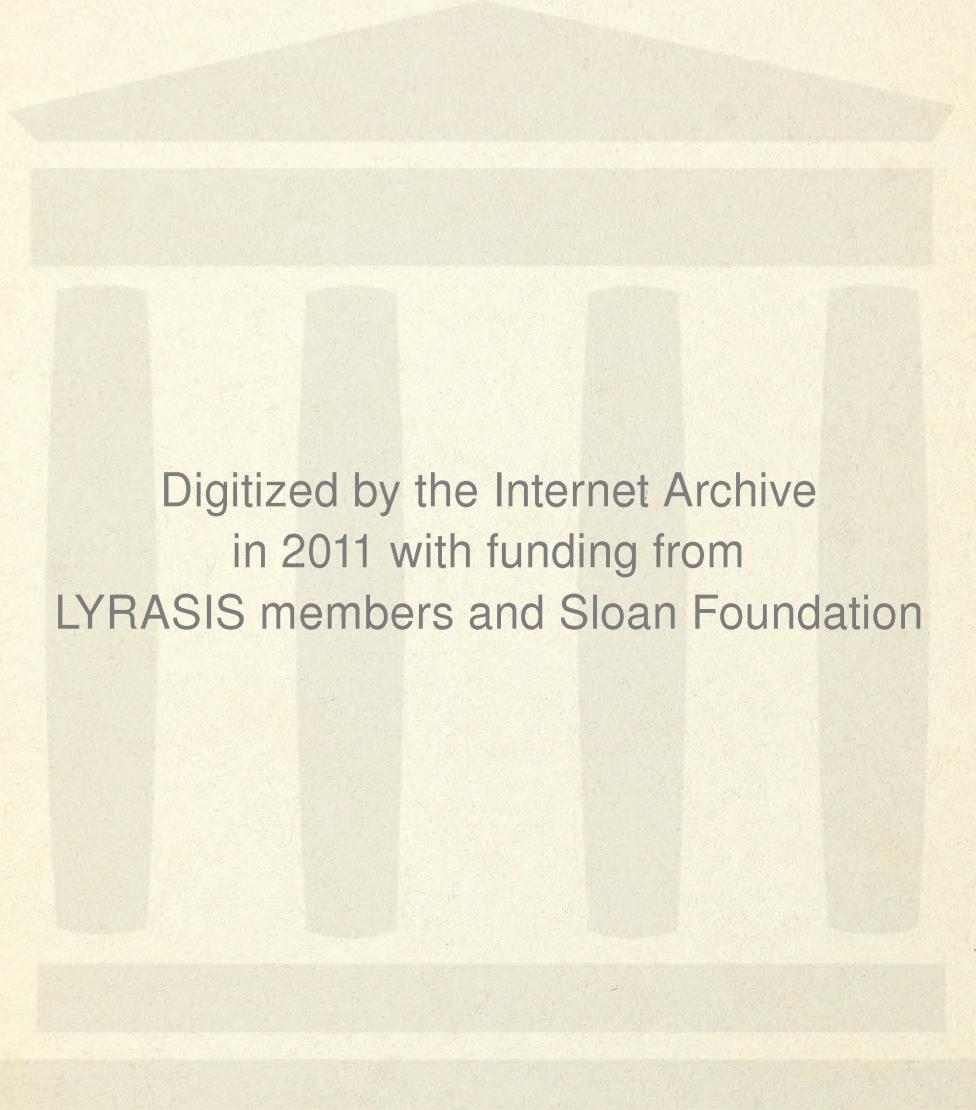
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ADDRESS TO THE PEOPLE OF NORTH CAROLINA

By

William Henry Haywood





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# ADDRESS

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OF

HON. WILLIAM H. HAYWOOD, JR.,

TO

THE PEOPLE OF NORTH CAROLINA.

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WASHINGTON :

PRINTED AT THE OFFICE OF BLAIR AND RIVES.

1846.



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CARD.

✍ A short card—requesting my friends and gentlemen of all parties, not to carry my resignation into the pending elections, and assigning the reasons why it ought not to have been done on either side—was prepared on the night after my resignation, and I intended to forward it for publication. But the unexpected appearance of a gross attack upon my motives utterly forbade the publication of any such thing, chiefly because the reasons I had assigned in my Card for their not carrying my resignation into the elections, in a great degree ceased to exist, or ceased to be true, as soon as I saw that outrage upon my rights, and anticipated its consequences. The public will not condemn me for a feeling of strong indignation under this injury; and I confess that I found it necessary to postpone this Address a short time, until I had regained my self-control, so as to write it in a temper respectful to the people, and with a spirit becoming a Christian and a gentleman, in the vindication of my reputation. Besides, I have met with some hinderance in procuring papers from home. This is a frank disclosure of the causes that have delayed the appearance of this Address.

WASHINGTON CITY, *August 10*, 1846.

WASHINGTON  
OFFICE OF THE SECRETARY OF WAR  
1846

WASHINGTON  
OFFICE OF THE SECRETARY OF WAR  
1846



## TO THE PEOPLE OF NORTH CAROLINA.

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I HAVE never appeared before the public, by myself or otherwise, to write down an accusation against me, but have hitherto chosen to bear unjust rebuke in silence, and rely upon time, and my manner of life, to consign to oblivion the whisperings of the envious and the calumnies of the malignant. I do not affect to conceal, that a departure from this rule gives me much pain; and I am persuaded, that if many of my friends did not think that it is a duty I owe to the people not to remain silent, under the recent censure of frenzied partisans, I should leave it, as far as concerns me, to my known character, and the self-denying act which has provoked it, to vindicate the patriotism and purity of my motives; reposing confidently upon the discernment and judgment of an intelligent public, in view of the simple facts as they occurred; and not doubting, that so soon as the occasion had passed by, and there was no longer a necessity for overawing others, who, it might have been supposed, were more timid in their purpose, and no chance to deceive the people at the North Carolina elections, by unscrupulous libels against me, my assailants would cease from their "dirty work," and bad men, who measure the motives of the virtuous by a standard of morals which vice has erected in their own bosoms, would go hunting after some fresh victim to gratify their ignoble malice. But I come before you at this time to speak of myself, not of others, and to defend my own faithfulness, not to expose their designs; and I think myself happy that I have the honest people of North Carolina to judge my cause. I invoke no sympathy, I ask no compassion, and I thank God I need them not. But with the proud consciousness of one who has dared to do his duty as a servant of the republic, amidst dangers and trials such as, I trust, are not to grow common in our Government, I stand before you to lay claim to the confidence, respect, and approbation of all good men, more especially of those belonging to the Democratic party. I feel and know this day, and I will prove even to my enemies, that in my station as a Senator, and in retiring from it, I incurred no guilt—I deceived no one—I betrayed no party—I made no sacrifice of your interests, and no surrender of your rights,—none at all, directly nor indirectly. And they who have charged the contrary, with all who, from any motive, personal or political, have given to it their aid and countenance, did "bear false witness."

It is true, that on the 25th of July, a few moments before the vote was expected to have been taken on the new tariff bill of 1846, (improperly called



“McKay’s bill,”) I resigned my seat as a Senator in Congress, into the hands of North Carolina, to whom it belonged; believing that it was my duty to do it, sooner than cast my vote against my own conscience, for a law that I could not approve, and knowing that it was my perfect right to do it, and that I would be but exercising that right in precise accordance with the last written doctrine of the Legislature and of the party who elected me. In this only have I offended; and in manly sincerity, but with that plainness of speech which the humblest man in the community will be able to understand for himself, I proceed to lay before you my explanation.

The subject of the tariff, and the system of laws by which taxes are imposed and collected for the use of the General Government throughout the Union, is one of deep importance, but of much intricacy and great difficulty in its judicious arrangement. Soon after taking my seat in the Senate of the United States, (in December, 1843,) I for one felt what any man when he first goes into Congress directly from private life will be apt to experience, and that was, a lack of necessary knowledge and information upon it. With an ambition to learn my duty as a legislator for this great Republic, and a fixed determination to pursue it afterwards, I immediately gave my whole mind to the study and consideration of this tariff system, well knowing that upon it depended, in a good degree, the chief operations in commerce, agriculture, and manufactures, in the other States as well as ours. During the first session of the last Congress, and after having devoted nearly all of my time for some months to this study, I hoped I had made myself qualified, and my political associates believed me fit, to be consulted and counselled with, in our united efforts to arrange a tariff with justice to all sections, and with entire safety to the business, prosperity, harmony, peace, and independence of the Union. To admit that this could not be done, was to declare that the Union cannot be preserved, and the cause of free government had failed.

The Democratic Senators in particular, concurring as we did then, and do now, with a few exceptions at the North, in a sentiment of opposition to the tariff of 1842, desired to see it changed. That act was believed to be extreme in its protective character, and therefore unequal and unsatisfactory to large sections of the Union; and our aim was, to modify it by the nearest possible approach to that happy mean between the extreme opinions of such as demand a total abandonment of all protection on one hand, and of those who insist upon protection as a primary object, on the other. I have no doubt that this is the only foundation upon which wise and just legislation can be based, when interests really conflicting are to be affected by the action of the General Government. Conferences with each other, and with the chairman of the Committee of Ways and Means of the House of Representatives, [Mr. McKay,] were frequently held, as to the best mode of altering and reforming the tariff of 1842. The more eminent men of the Democratic party in the Senate, and leading statesmen from different sections of the Union in Congress, took part in the deliberations and investigations which preceded and accompanied the formation of what was then called and known as “McKay’s Bill and Report,” viz: in March, 1844. In the councils whence that bill proceeded, I had the honor to be admitted as an humble and unpretending participator, so that I knew, and it cannot be denied, that quite all the Democratic Senators from the South and West, and very nearly every one from the



North and East, assented to or acquiesced in it. It formed a subject of congratulation, I remember, amongst the members of the party from all sections at that time, (1844,) that the opinions and views of Democrats in the National Councils had been thus brought to harmonize in what was thought to be a reasonable, prudent, practical, measure of legislation upon this subject, which seemed likely to put at rest and settle the tariff dispute. Unfortunately, it did not pass the House of Representatives: I will not stop to state the cause. But, notwithstanding its temporary defeat in that body, the Democratic party at once put themselves before the people of the Union upon that bill as a common platform, and it was promulgated as their proposed scheme of reforming the tariff act of 1842. "McKay's Report" of 1844 was published and sent forth as the true and authentic interpretation of their views in regard to the change we were afterwards to insist upon. So I understood it at the time, and ever since, and so have I constantly declared. The bill was named after its author and advocate, [Mr. McKay,] a statesman of North Carolina—a Southern man and a Democrat. My own opinions in its favor were freely expressed in all my intercourse with you, and they were not unknown in any quarter. The Democratic press in North Carolina, without exception, applauded it. The Democratic party zealously approved of it throughout our limits. If there was a single one of them who did not, I am yet to learn the fact. Hundreds, if not thousands, of the other party in our State, gave their approving voice in its favor. Our elections in 1844 and in 1845, all of them, were conducted upon that basis, so far as the tariff question entered into them at all. Every intelligent man in the nation knows the fact, that the fall elections of 1844, and those in the spring of 1845, throughout the United States, for members to the present Congress, were carried on, if not upon the same basis, with a knowledge of that bill and report. The North saw in it a pledge of the *South* and West, that we did not mean to oppress and break down the labor and industry of the North and East. The South saw in it a reasonable concession to their demand for practical free trade. The people everywhere saw in it the hope for moderate legislation, and the prospect of a permanent arrangement of a question that had been agitating the nation for a quarter of a century; and if your memory still serves you with a recollection of any of the speeches of our candidates for the last Legislature or the present Congress, made in North Carolina, only a year ago, I beg to know whether it was not uniformly proclaimed, that all *true* Democrats were going in favor of "McKay's Bill" of 1844! Bear in mind, that the "McKay Bill" of 1844 and the McKay Bill of 1846, agree in nothing but the name, as I will show you hereafter.

And what, let me ask, was the result of all this? In the North, as well as in the South and West, the elections to the present Congress ended favorably to the Democratic party. A Democratic majority of more than sixty were returned to the House of Representatives. The same party held a majority in the Senate. And a Democratic President, nominated after the "McKay Bill" of 1844 had been framed and approved by the party, was elected by the votes of States in the North as well as the South; a southern and a western President, whom we could not have elected without the votes of Northern States. Of course I cannot undertake to affirm, as a fact, that the Northern States, which voted for the Democratic party, were induced to do it by McKay's bill and report of 1844. But this I know, and will say, that it was put forth as a



political peace-offering upon the tariff, and that the Northern people at once rallied to the support of the party, in numbers largely beyond those which had theretofore supported it; and that it was expected by us when that offering was made, that it would conciliate the Northern Democrats; and I have no doubt that it enlisted the support of thousands who would not have sustained the party without it. Now, then, I put it to the conscience of the people of North Carolina, who I know love all their country—North, South, East, and West—whether, under such circumstances, I was bound to violate my sense of duty, and, contrary alike to this party-pledge and to my own sober judgment as a Senator, to assent to an act which violated, out and out, the “McKay Bill” of 1844, when there was no public emergency to require it, and no national exigency to excuse it, and that, when I did most confidently believe that the new tariff act of the present Congress was, in itself, unwise, and full of mischief to the Republic? Was it my duty to you, or to the Democratic party of North Carolina, to have done that? And had I no right to resign and retire from it? Was I bound to hold on to my office, and put up the pretended excuse that the Democrats of North Carolina had changed their minds, and repudiated “McKay’s Bill” of 1844, for a new and different measure in 1846; or that the people desired me to pass the latter, when, forsooth, I did not know the fact to be so, and in my heart I did not believe it? So far from its being the case, I more than doubt whether thousands of you have not taken it for granted, or been led to believe, down to this day, that the “McKay bill” of 1844 was the same thing that is called so in 1846; whereas they are as different as light is from darkness. No, my constituents never required such things of me.

Believe me, I do not mean to bring into question the course of other Democratic Senators who condemned the act, and yet gave it their vote. It is my right to state that there were not a few of them who did that. Neither do I mean by this to assail my friend Mr. McKay. Far from it. They are my friends personally and politically, and in taking a different view of their duty, they did me no wrong; and in defending my own conduct, I intend not to arraign theirs. Whilst I have pursued the light of my conscience, they have followed theirs. In questions of conscience, it must be conceded that God is the judge, and every man must stand or fall according as each believes for himself. So that not unfrequently there are cases where men in the same circumstances may act differently, and yet both be guiltless.

But what I have said upon the history and purpose of the “McKay bill” of 1844, did not form all of my objection to the new tariff of 1846, improperly named “McKay’s Bill;” and which I shall, for the sake of discrimination, more properly call the “Experimental Tariff.”

My opinions shall be laid before you without disguise, and you shall see whether, when taken in connexion with an unnecessary and improper abandonment of the real McKay Bill of 1844, they do not show, that in my hostility to the Experimental Tariff, I was faithful to you and my country, and true to myself and my party.

Fortunately for me, those opinions, so far as they looked forward to its ultimate consequences, on the harmony of the party, or the welfare of the Republic, I am no longer under the necessity of supporting by labored arguments. For good or evil, the law has passed. If it should be repealed or modified at the next session, that will be of itself a complete vindication of my



opposition to it at the present. If it should be permitted to remain in force in the form that I was required to vote upon it, then time will soon determine whether my opinion of it was right or wrong. I abide the result without fear; yet, if I know myself, without a wish to see evil come of it, merely for the sake of claiming hereafter, on my part, the merit of political sagacity for my resistance to it.

These, then, were my opinions, as they are now:

First. Our country is involved in an expensive war, and the wisest among you cannot foresee its close. We have a large army invading Mexico, and a large navy off her coasts, along the Pacific Ocean and in the Gulf of Mexico. The sum already appropriated by Congress for the Government expenditures of the fiscal year, exceeds FIFTY MILLIONS of dollars. Will the Experimental Tariff raise revenue sufficient to "pay as we go?" Certainly not. Congress knew that, and, therefore, authorized a loan of ten millions, at the very time we were passing this tariff; and the first act of the next session will probably be one for ten millions more! Will it produce revenue enough to pay *one half* of the appropriations? I am quite sure it will not. Its advocates did not assert that it will do much more. Wherefore, if this experiment works as well as its warmest friends have predicted, the Government will fall in debt twenty-five millions this (fiscal) year. So long as the war lasts, and for such a period of time after it as the war expenses continue, it will be the same thing. But if the Experiment works as illy as its more violent opponents have said of it, why, then it will hardly go at all. I think the truth lies between them. It will work, but it will work badly, and work you deeply in debt; and if it should be adhered to "without alteration," the public debt will be increased, not much short of thirty millions the first year, and I can see no honest way to prevent its yearly increase, except by a resort to direct taxes.

Direct taxes ought to be our very last resort—public debt is an evil that I abhor, more than ever, since I was a member of Congress; and therefore it was the conclusion of my mind, that this Tariff Experiment ought not to be tried, and certainly not at this particular time. The acts of a Congress which went to diminish the revenue, but to increase the expenditures, did not seem to me to be consistent with prudence in any Government, more especially in a time of war. The tariff system, according to my judgment, was a most unfit subject for party experiments; and, at the time of a yearly expenditure of fifty millions of dollars, and of a foreign war, such experiments amounted to party rashness. If the war should end soon, still the Government here, we knew, expected to terminate it by a treaty for peace and a new territory, viz: California. No honest country would take the territory without paying the owner for it, and if we would, Mexico cannot yield it upon any other terms. Hence it was, that whether we were to have peace or war with Mexico, we needed much more money to carry on the Government. When the plainest rules of arithmetic and common sense thus compelled me to withhold my support from a tariff experiment, to be made now, at the expense of the nation's credit, how could I hesitate?

Second. The tariff of 1842, ought to have been modified, but not by an act, which reduced the duties as early as the 1st December.

In all great alterations of the tariff diminishing duties, the reductions ought to be made upon reasonable notice to the people, whose property and business will be affected by them. In that case, there may be inconvenience to some, but it does not bring ruin down upon so many innocent people. Not



giving time, infant factories are destroyed by the hand of legislation, and the older and more mature establishments, are compelled to diminish their operations forthwith, and consequently to discharge a number of their laborers, and reduce the wages of all. The laborers suffer more than the owners, because they are less able to bear it. The sudden loss of work will be to many of them and their families a loss of food and raiment; and that which the law-maker is commanded to pray for—his “daily bread”—he would be thus rudely taking by law from the workingman of his country. And the experimental tariff act was the more objectionable, inasmuch as many of our countrymen—the northern laborers, who are to suffer under it—will be put out of employment in the beginning of winter, when other employments will be obtained with greater difficulty; and at the North, the poor, when without labor and wages, encounter a degree of suffering, in that inclement season, which we have no just conception of at the South. You must see it, before you can fully appreciate it. Also, a sudden alteration of the tariff must, of necessity, disturb the home market of our manufacturers, coal-diggers, and mechanics, and involve hundreds and thousands—in losses to some, ruin to others, and suffering to many.

Even a bad tariff law, then, should not be repealed so as to fall down too hastily, when its gradual abrogation would create less inconvenience to the Government, and its sudden change may oppress the poor, or do injustice to any section. The Government ought to have compassion on all the people, and particularly upon the laboring classes. The manufacturers at the North are not all “Abbott Lawrences,” whose fortune has been the theme of so many tariff speeches. The compromise tariff act, under General Jackson, in 1833, reduced the duties gradually and periodically for nine years. *It* gave nine years’ notice. *This Experimental Tariff* will reduce all the duties upon only four months’ notice! The latter was harsh, cruel, unjust legislation—harsh to the wealthy, cruel to the laborer, and unjust to both; and the general welfare did not require it.

Third. The Independent treasury, of itself a great change; the Warehousing act, another; and the Experimental Tariff, the greatest of them all,—will, when taken together, work an entire revolution of our financial system. One at a time they might have been introduced more safely, some of them wisely. But by being so nearly united, as they will be, in the time of their commencement, it was calculated to excite apprehension and alarm. To put them into simultaneous operation, was, indeed, a political movement of party, too violent and too potent for good. It will affect all the business of the people most injuriously; and, with a Government expenditure of fifty millions, and a revenue under twenty millions, the Government itself may be crushed under their combined operation. To attempt it, when the nation was at war abroad, and the Government was in the money-market, or soon expected there, as a borrower at home, clearly appeared to my mind to be unwisely jeopardizing public credit and private confidence. Revolutions are seldom reforms, and certainly reforms need not always be revolutions. One must reasonably fear, that, without a miracle, such strong measures, acting with their combined power against the existing order of things in the country, may create a revulsion in trade, pecuniary distress, hard times, popular excitements, and sectional agitations, preceding another contest for the Presidency, and do nobody any good, but a few political agitators and rich speculators. I thought they would go very far towards producing an overthrow of the Democratic party, if they did not entirely accomplish it. These



consequences were too natural not to be apprehended; and the last-mentioned result was openly predicted by some, and probably anticipated by others, of my own political friends, who yet voted for the experimental tariff bill, without approving of it. Unless it should be repealed or materially modified, its consequences now, belong to the developments of the future; so I need not illustrate the grounds of my conviction by minuter statements. Let time test its correctness.

Fourth. In none of the tariff acts of the United States in former years was the industry of our own country burdened by discriminations made *against* home manufactures. Their policy was to build up, and not to destroy—to protect, and not to oppress. Not so the Experimental Tariff. And is it not a mistake to suppose that the Republican people of North Carolina were at any time, hostile to those acts merely because they were “*protective?*” Our hostility was aimed at the *extent* of the thing, not the *thing* itself—at *extreme* protection, not protection *per se*. With here and there an individual exception, (for Republicans in those days were allowed to differ) I boldly affirm that this was the Republican doctrine of our State; and the people will know it to be true, when I remind them that it was precisely the point of our dispute with the Nullifiers. They were against protection *out and out*. We, the (Jackson) Republican party of North Carolina, in particular, went for *incidental* protection—*moderate* protection, by a “judicious tariff.” They were for declaring the tariff of 1828 and 1832 unconstitutional, and nullifying it, because it *protected* manufactures. We thought it was unjust, because the protection was *extreme*, but not unconstitutional, and that the “Union must be preserved.” What the Republican party of North Carolina thought then, I thought, and spoke, and wrote.

And coming down to more recent events, let me say, that McKay’s Bill of 1844 was a tariff of incidental protection, which you and I, and all the Democrats in Congress from North Carolina, approved and sustained, and the people of our party, in North Carolina, nowhere opposed last year, and the press of the party defended up to the inauguration and afterwards, and even down to the day of the report from the present Secretary of the Treasury. Careful study, longer experience, and closer examination, have confirmed me in the faith of those times, sanctioned, as it was, by the authority of the administrations of *Washington*, and *Jefferson*, and *Madison*, and *Monroe*, and *Jackson*, all southern Republicans and southern Presidents. Is consistency treason? It may be a misfortune to me that I was unable to change with the times, but it would be a crime to deny my faith. To avoid misrepresentation, I give you the words of those wise and eminent and patriotic men. Hear Washington!

*Extract of a speech of George Washington, President of the United States, to Congress, January 8, 1790.*

“A free people ought not only to be armed, but disciplined; to which end a uniform and well-digested plan is requisite; and their safety and interest require that they should promote such *manufactories* as tend to render them independent of others for essential, particularly military, supplies.”

“The advancement of agriculture, commerce, and *manufactures*, by all proper means, will not, I trust, need recommendation.”

In accordance with this general recommendation, the House of Representatives passed a resolution directing the Secretary of the Treasury (Mr. Hamilton) to report to them upon the subject of manufactures, and particularly as to the means of promoting such as would tend to render the United States independent of foreign nations for military and other essential supplies; and his report was submitted in December, 1791, wherein he said:



“The expediency of manufactures in the United States, which was not long since deemed very questionable, appears at this time to be pretty generally admitted.”—P. 123.

And again he said:

“A question has been made concerning the constitutional right of the Government of the United States to apply this species of encouragement, [to manufactures,] but there is certainly no good foundation for such a question.”—P. 136.

And again he said:

“It is not uncommon to meet with an opinion, that, though the promoting of manufactures may be the interest of a part of the Union, it is contrary to that of another part. The northern and southern regions are sometimes represented as having adverse interests in this respect. Those are called manufacturing, these agricultural States; and a species of opposition is imagined to subsist between the manufacturing and agricultural interests.

“Ideas of a contrariety of interests between the northern and southern regions of the Union are, in the main, as unfounded as they are mischievous. The diversity of circumstances on which such contrariety is usually predicated, authorizes a directly contrary conclusion. Mutual wants constitute one of the strongest links of political connexion; and the extent of these bears a natural proportion to the diversity in the means of mutual supply. Suggestions of an opposite complexion are ever to be deplored, as unfriendly to the steady pursuit of one great common cause, and to the perfect harmony of all its parts.”—P. 134. (See State Papers, Finances, vol. 1, pages 123, 134, and 136.)

These were the doctrines of Washington, and of Washington's Administration. And now hear Washington again!

*Extract of a speech of George Washington, President of the United States, to Congress, December 7, 1796.*

“Congress have repeatedly, and not without success, directed their attention to the *encouragement of manufactures*. The object is of too much consequence not to insure a *continuance* of their efforts in every way which shall appear eligible.”

Hear Jefferson!

*Extract of a Message from Thomas Jefferson, President of the United States, to Congress, November 8, 1808.*

“The suspension of our foreign commerce, produced by the injustice of the belligerent Powers, (of Europe,) and the consequent losses and sacrifices of our citizens, are subjects of just concern. The situation into which we have thus been forced, has impelled us to apply a portion of our industry and capital to internal manufactures and improvements. The extent of this conversion is daily increasing, and little doubt remains that the establishments formed and forming, will, under the auspices of cheaper materials and subsistence, the freedom of labor from taxation with us, and of **PROTECTING DUTIES AND PROHIBITIONS**, become permanent.”

Hear Madison!

*Extract of a Message from James Madison, President of the United States, to Congress, Nov. 5, 1811.*

“Although other subjects will press more immediately on your deliberations, a portion of them cannot but be well bestowed on the just and sound policy of securing to our manufactures the success they have attained, and are still attaining, in some degree, under the impulse of causes not permanent.

“Besides the reasonableness of saving our manufactures from sacrifices which a change of circumstances might bring on them, the national interest requires that, with respect to such articles at least as belong to our defence and our *primary* wants, we should not be left in unnecessary dependance on external supplies.”

*Extract of a Message from James Madison, President of the United States, to Congress, Dec. 5, 1815.*

“In adjusting the *duties on imports* to the object of revenue, the influence of the tariff on *manufactures* will necessarily present itself for consideration. However wise the theory may be which leaves to the sagacity and interest of individuals the application of their industry and resources, there are in this, as in other cases, exceptions to the general rule. Besides the condition, which the theory itself implies, of a reciprocal adoption by other nations, experience teaches that so many circumstances must concur in introducing and maturing manufacturing establishments, especially of the more complicated kinds, that a country may remain long without them, although sufficiently advanced, and in some respects even peculiarly fitted, for carrying them on with success. Under circumstances giving a powerful impulse to manufacturing industry, it has made among us a progress, and exhibited an efficiency, which justify the belief that, with a *protection not more than is due to the enterprising citizens whose interests are now at stake*, it will become, at an early day, not only safe against occasional competitions from



abroad, but a source of domestic wealth, and even of external commerce. In selecting the branches more especially entitled to the public patronage, a preference is obviously claimed by such as will relieve the United States from a dependance on foreign supplies, ever subject to casual failures, for articles necessary for the public defence, or connected with the primary wants of individuals. It will be an additional recommendation of particular manufactures, where the materials of them are extensively drawn from our agriculture, and consequently impart and insure to that great fund of national prosperity and independence an encouragement which cannot fail to be rewarded."

### Hear Monroe!

*Extract of a Message from James Monroe, President of the United States, to Congress, Dec. 7, 1819.*

"It is deemed of great importance to give encouragement to our domestic manufacturers. In what manner the evils which have been adverted to may be remedied, and how far it may be practicable in other respects to afford to them further encouragement, paying due regard to the other great interests of the nation, is submitted to the wisdom of Congress."

*Extract of a Message from James Monroe, President of the United States, to Congress, Dec. 3, 1822.*

"From the best information that I have been able to obtain, it appears that our manufactures, though depressed immediately after the peace, have considerably increased, and are still increasing, under the encouragement given them by the tariff of 1816, and by subsequent laws. Satisfied I am, whatever may be the abstract doctrine in favor of unrestricted commerce, provided all nations would concur in it, and it was not liable to be interrupted by war, which has never occurred, and cannot be expected, that there are other strong reasons applicable to our situation and relations with other countries, which impose on us the obligation to cherish and sustain our manufactures. Satisfied, however, I likewise am, that the interest of every part of our Union, even of those most benefited by manufactures, requires that this subject should be touched with the greatest caution, and a critical knowledge of the effect to be produced by the slightest change. On full consideration of the subject, in all its relations, I am persuaded that a further augmentation may now be made of the duties on certain foreign articles, in favor of our own, and without affecting injuriously any other interest."

*Extract of a Message from James Monroe, President of the United States, to Congress, Dec. 2, 1823.*

"Having communicated my views to Congress, at the commencement of the last session, respecting the encouragement which ought to be given to our manufactures, and the principle on which it should be founded, I have only to add, that those views remain unchanged; and that the present state of those countries with which we have the most immediate political relations and greatest commercial intercourse, tends to confirm them. Under this impression, I recommend a review of the tariff, for the purpose of affording such additional protection to those articles which we are prepared to manufacture, or which are more immediately connected with the defence and independence of the country."

### Hear Jackson!

*Extract of a Message from Andrew Jackson, President of the United States, to Congress, Dec. 8, 1829.*

"No very considerable change has occurred, during the recess of Congress, in the condition of either our agriculture, commerce, or manufactures.

"To regulate its conduct, so as to promote equally the prosperity of these three cardinal interests, is one of the most difficult tasks of government; and it may be regretted that the complicated restrictions which now embarrass the intercourse of nations could not, by common consent, be abolished, and commerce allowed to flow in those channels to which individual enterprise—always its surest guide—might direct it. But we must ever expect selfish legislation in other nations, and are therefore compelled to adapt our own to their regulations, in the manner best calculated to avoid serious injury, and to harmonize the conflicting interests of our agriculture, our commerce, and our manufactures. Under these impressions, I invite your attention to the existing tariff, believing that some of its provisions require modification.

"The general rule to be applied in graduating the duties upon articles of foreign growth or manufacture, is that which will place our own in fair competition with those of other countries; and the inducements to advance even a step beyond this point are controlling in regard to those articles which are of primary necessity in time of war. When we reflect upon the difficulty and delicacy of this operation, it is important that it should never be attempted but with the utmost caution. Frequent legislation in regard to any branch of industry affecting its value, and by which its capital may be transferred to new channels, must always be productive of hazardous speculation and loss.

"In deliberating, therefore, on these interesting subjects, local feelings and prejudices should be merged in the patriotic determination to promote the great interests of the whole. All attempts to connect them with the party conflicts of the day are necessarily injurious, and should be discountenanced. Our action upon them should be under the control of higher and purer motives. Legislation subjected to such influences can never be just, and will not long retain the sanction of a people whose active patriotism is not bounded by sectional limits, nor insensible to that spirit of concession and forbearance which gave life to our political compact, and still sus-



tains it. Discarding all calculations of political ascendancy, the North, the South, the East, and the West, should unite in diminishing any burden of which either may justly complain.

“The agricultural interest of our country is so essentially connected with every other, and so superior in importance to them all, that it is scarcely necessary to invite to it your particular attention. *It is principally as manufactures and commerce tend to increase the value of agricultural productions, and to extend their application to the wants and comforts of society, that they deserve the fostering care of government.*”

“Looking forward to the period, not far distant, when a sinking fund will no longer be required, the duties on those articles of importation *which cannot come in competition with our own production, are the first that should engage the attention of Congress in the modification of the tariff. Of these, tea and coffee are the most prominent: they enter largely into the consumption of the country, and have become articles of necessity to all classes.*”

*Extract of a Message from Andrew Jackson, President of the United States, to Congress, Dec. 7, 1830.*

“Among the numerous causes of congratulation, the condition of our impost revenue deserves special mention, inasmuch as it promises the means of extinguishing the public debt sooner than was anticipated, and furnishes a strong illustration of the practical effects of the present tariff upon our commercial interests.

“The object of the tariff is objected to by some as unconstitutional; and it is considered by almost all as defective in many of its parts.

“The power to impose duties on imports originally belonged to the several States. The right to adjust those duties, with a view to the *encouragement of the domestic branches of industry*, is so completely incidental to that power, that it is difficult to suppose the existence of the one without the other. The States have delegated their whole authority over imports to the General Government, without limitation or restriction, saving the very inconsiderable reservation relating to their inspection laws. This authority having thus entirely passed from the States, the right to exercise it for the purpose of protection does not exist in them; and consequently, if it be not possessed by the General Government, it must be extinct. Our political system would thus present the anomaly of a people stripped of the right to foster their own industry, and to counteract the most selfish and destructive policy which might be adopted by foreign nations. This surely cannot be the case. This indispensable power, thus surrendered by the States, must be within the scope of the authority on the subject, expressly delegated to Congress.

“In this conclusion I am confirmed as well by the opinions of Presidents Washington, Jefferson, Madison, and Monroe, who have each repeatedly recommended the exercise of this right under the Constitution, as by the uniform practice of Congress, the continued acquiescence of the States, and the general understanding of the people.

“That our deliberations on this interesting subject should be *uninfluenced by those partisan conflicts that are incident to free institutions, is the fervent wish of my heart.* To make this great question, which unhappily so much divides and excites the public mind, subservient to the short-sighted views of faction, must destroy all hope of settling it satisfactorily to the great body the people, and for the general interest. I cannot, therefore, in taking leave of the subject, too earnestly, for my own feelings or the common good, warn you against the blighting consequences of such a course.”

*Extract of a Message from Andrew Jackson, President of the United States, to Congress, Dec. 6, 1831.*

“The confidence with which the extinguishment of the public debt may be anticipated presents an opportunity for carrying into effect more fully the policy in relation to import duties which has been recommended in my former messages. A modification of the tariff, which shall produce a reduction of our revenue to the wants of the Government, and an adjustment of the duties on imports with a view to equal justice in relation to all our national interests, and to the counteraction of foreign policy, so far as it may be injurious to those interests, is deemed to be one of the principal objects which demand the consideration of the present Congress. In the exercise of that spirit of concession and conciliation which has distinguished the friends of our Union in all great emergencies, it is believed that this object may be effected without injury to any national interest.”

Now, the experimental tariff, as I interpret it, fundamentally violated this doctrine. It discriminated, but it did so against our domestic labor; and in that way, and to that extent, it made war upon the vital interests of the North. And pray what inducements were offered to North Carolina, by this experiment, that her Senators should help to carry on the unnatural conflict? What, but the naked desire for an apparent party unity where there was really no party concord. For North Carolina had no local or State interest which will be served or elevated by it. None whatever.

The limits of this address will not allow of illustrations by a tedious detail of



enumerated articles. I reserve that for a more suitable occasion, only remarking, for the present, that if any should be disingenuous enough to deny this characteristic of the new tariff, no one, who regards his reputation, will venture to contradict the fact, that the experimental tariff does not discriminate in *favor* of American manufactures; and not to discriminate in their favor, moderately and reasonably, by a "live and let live" law of love amongst brethren of a common country, is the same thing in principle, though not in degree, as to discriminate *against* them. Verily, it appeared to me that its passage would be substituting the theories of yesterday learned in the law office, for the experience of fifty years of our own Government, and the practice of all civilized nations, for the sake of perpetrating an experiment upon the people of the United States.

Fifth. The last objection I shall trouble you with, is to the new principle, that all "duties are to be laid ad valorem." It is not the least remarkable circumstance, connected with the passage of the act, that this new *ad valorem* article in the Democratic creed was supported by the sanction of no distinguished name but Henry Clay's! and Mr. Clay's friends say, that even he has been misrepresented, to furnish the authority.

Another not unimportant circumstance is, that the people of my State have been commanded to dishonor me, as one not true to the doctrine of a party tariff of "ad valorem duties;" and, *therefore*, treacherous to them; when I put it to your consciences, that there are thousands and tens of thousands of good North Carolina Democrats, who, so far from having adopted it in their political creed, did never so much as hear of it until long since my election to the Senate! Let each one answer for himself—Did you ever understand it before? In sincerity, I declare, that until after my election to the Senate, I did not, and I presume you did not. But I think I understand it now, my Countrymen, and I venture to guess, that the more you know of it, and the longer it shall be tried, the less you will like it.

But let me tell you what it is: It is to lay duties or taxes upon goods imported from foreign countries, according to the value of the goods at the market from whence they come—the *law* fixing the per cent., and the *collector* of it ascertaining the foreign value of whatever is taxed, viz: the sum of the tax, for which he is not responsible to you, but to the Treasury Department. And a specific duty is the same tax imposed upon the same article—the *law* itself, however, distinguishing the values, by establishing the particular sum of taxation, and leaving nothing for the *collector* to do but to weigh or measure the quantity; wherein, if he be guilty of fraud, he may probably be convicted, or if disposed to oppress the merchant, he can be prevented. In short, where the tax is *specific* the collector only weighs or measures the quantity; where it is *ad valorem* he not only measures or weighs the quantity, but likewise determines, upon his own judgment, the foreign value of the things imported. The uniform rule, as approved by your Government, has been heretofore, that of making all the duties specific which can be made so, and let the others be ad valorem; but to reduce the list of *ad valorem* duties, from time to time, by adding to the list of *specifics*. The experimental tariff condemns and repudiates this policy altogether, and prescribes a new one, of having *all* the duties ad valorem, and *none* of them specific. With this explanation, you can have no difficulty in comprehending my objections to the new principle of the experimental Tariff.



It was a maxim of the Revolution, that "representation and taxation should go together." Now, this is a great principle of liberty, never to be despised; and the abrogation of it cannot be necessary to the interest of the Republic. But it means nothing, unless it creates the duty of laying taxes by the *law*, and not by the *officers* who collect it; so that the citizen who reads the law may, as far as practicable, see what it taxes him: officers, too, whom the people have no agency in appointing, and cannot remove—officers who, in assessing values, exercise their own discretion, and whose individual judgment, in this country, as to the market value of property in all foreign lands, cannot be successfully impeached, because the witnesses to do it live abroad, and cannot be got here; and if they could, it would still be almost impossible to convict the officer of *intentional* falsehood. It must be proved that he was wrong, and knew it too. Is not this new doctrine, then, more than a slight departure from this maxim of the Republic? Shall it be approved, upon the notion that this great principle of a representative democracy has become impracticable? Shall we sanction the pretence, that the people's representatives will cheat them in adopting the *specific* duties, and assume at the same time that custom-house officers will be more scrupulous and more just to you, in fixing the values under a system of *ad valorem* duties? Ought such a departure from a great and fundamental doctrine of representative government to be tolerated, much less ingrafted permanently into the laws of a free people, without unavoidable necessity, and sanctified as a part of our Democratic faith, without due notice to the people? A step or two further, and we shall be carried to a point where Congress can do nothing but declare the aggregate revenues which may be levied for the Government, and leave the Treasury Department to collect them as may seem best to its officers, and according to its rules.

I come now to show that what the experimental tariff makes the *rule* of taxation, the fathers of the Republic made the *exception*. What they declared was a fruitful mother of frauds, it has adopted as the only parent of our revenues!

In 1795, when *Washington* was President, Alexander Hamilton, his Secretary of the Treasury, in a report to the House of Representatives, used the following words, viz:

"According to the present laws, imposing duties on articles imported into the United States, not much short of one-third of the whole amount of the duties is derived from articles rated *ad valorem*."

"In other nations, where this branch of revenue, as with us, is of principal, or very considerable consequence, and where no peculiarity of situation has tended to keep the rates of duty low, experience has led to contract more and more the number of articles rated *ad valorem*, and of course to extend the number of those rated specifically; that is, according to weight, measure, or other rules of quantity."

"The reason of this is obvious: it is to guard against evasions, which infallibly happen in a greater or less degree when duties are high. It is impossible for the merchants of any country to have manifested more probity than those of the United States on this subject; and it is firmly believed that there never was one in which illicit purchases to the disadvantage of the revenue have obtained so little as hitherto in this. Yet would it be a delusive expectation, that, with duties so considerable as those which now exist, a disposition will not be experienced in some individuals, who carry on our import trade, to evade the payment of them, and this to an extent sufficient to make it prudent to guard with circumspection, and by every reasonable precaution, against the success of such attempts. It is needless to repeat, that this will contribute as much to the interest of the fair trader as to that of the revenue."

"It is believed that in our system the method of rating *ad valorem* could with convenience be brought within a much *narrower* compass, and it is evident that to do so will contribute materially to the *security of the revenue*."—(See American State Papers, Finance, vol. I, page 348.)



In 1801, under Jefferson's administration, Albert Gallatin, Secretary of the Treasury, in a report to the Senate, said that—

“In order to guard, as far as possible, against the value of goods being underrated in the invoices, it would be eligible to lay *specific* duties on all such articles now paying duties *ad valorem*, as may be susceptible of that alteration.”—(See American State Papers, Finance, vol. 1, p. 702.)

In 1816, under Madison's administration, A. J. Dallas, the Secretary of the Treasury, in a report to the House of Representatives, and in answer to a resolution of the preceding session, after a thorough examination, said:

“That articles imported to a great amount should rather be charged with *specific* duties upon their weight and measure, in order to guard against evasions and *frauds*, than with *ad valorem* duties on their value.”—(See American State Papers, Finance, vol. 3, p. 91.)

In 1818, under Monroe's administration, William H. Crawford, the Secretary of the Treasury, in answer to a resolution of 1817, directing him to report such measures as might be necessary for the more effectual execution of the revenue laws, said:

“In order to provide an adequate remedy against the frauds and evasions which already exist, and to prevent their further increase, it is respectfully submitted,” &c.

And then, after recommending twenty-four additional laws, he adds:

“Whatever may be the reliance that ought to be placed in the efficacy of the foregoing provisions, it is certainly prudent to *diminish*, as far as practicable, the list of articles paying *ad valorem* duties.”—(See American State Papers, vol. 3, p. 236.)

These opinions, of the great and eminent men of our country, were never controverted, so far as we know, until the present time; and upon what principle of patriotism or of democracy was I expected to refuse to them the homage of my confidence and support? What should have induced me to forego the conclusions of my own judgment, fortified by such authority and confirmed by the experience of the Government for half a century? In all my conferences with Senators, no better reason was given to me for it, than that the bill would destroy the tariff of 1842; but the remedy was as bad, if not worse, than the disease, and the operation seemed to me almost as unwise as to “cut off the head for a cure of the toothache.”

I have now explained to you the origin, and reminded you of the character of McKay's Bill of 1844. I have intimated to you the nature of those party, not to say, those moral obligations, which were contracted antecedent to the elections of 1844; and I have told you they were imposed upon me, as one of your Senators, in my best attempts to sustain the Democratic party by harmonizing the country generally upon a distracting conflict of local interests. I have also shown you how the tariff bill proposed at this session was altogether a different one, and every way objectionable in its details, and in its principles, and in the time of its operation, and I might have added, in the manner it was urged upon the Senate, and how utterly impossible it was with me, on account of all these things, to vote for the bill without amendment, even along with other Democratic Senators, with our mouths gagged, our judgments unconvinced, and our deliberations forestalled upon a question which I always thought to be a national one, above the dominion of any political party whatever.

I now proceed to lay before you an unadorned narrative of my party conferences in connexion with this subject, and leave it for you to characterize as it deserves the injustice that has been done to me by all those who have brought into question my faithfulness to the *Democratic party*. Where my defamers



have been prompted by malice, they are entitled to my compassion ; where they have been led by the spirit of envy, they are more worthy of their own ; where they have been stimulated into activity by a vain conceit or the love of notoriety, or of a petty political eclat, they are deserving of my contempt, and richly are they rewarded with it. But I owe it to *honest men*, who may have been misled by their unfounded accusations, to disabuse their minds, so far as I can do it without a betrayal of that confidence which, amongst *gentlemen*, is implied in private conversations, no matter what may be their subject, and which is seldom betrayed without misrepresentation. If necessary, I have liberty to do otherwise ; but I shall avoid all unnecessary repetition of the declarations of others to me.

When the tariff bill first reached the Senate, I was in Raleigh, and then communicated to an intimate political friend how difficult I should find it to support it without important amendments, expressing to him my exceeding anxiety and fears upon the subject. Immediately after my return to this city, the first day of the debate in the Senate, I told several of the Senators (Democrats) with whom I was most intimate, the same thing, and, upon a conference, suggested to two of them that I might have to resort to a resignation ; but they did not agree with me, and I consented to think further of that. It had been voted by the party to have no reference, and agreed to have no amendment to the bill. Next day, I held a long and confidential conversation with the PRESIDENT OF THE UNITED STATES himself upon this subject, and informed him of my determination not to vote for the bill ; but left it to his discretion whether to keep that purpose secret or not. In that interview, such was my anxiety to reconcile my duty with the wishes of others, that I consented to waive my opposition ; and vote for the bill, however reluctantly, provided it were amended so that the new tariff would not go into operation before 4th March, 1847. The bill would then have operated as a repeal of the tariff act of 1842, and so far I was willing to support it. But I desired its operation to be postponed to some period which would be less oppressive to existing manufactures, and which might allow Congress time to correct its errors, and, after full deliberation, to amend it before the existing system had been destroyed—for deliberation had been refused, and amendments excluded, although the one was due to the subject, and the others were admitted to be necessary. By that time, too, I hoped we might have peace with Mexico, and, indeed, I entertained no doubt that Congress would see the necessity for modifying the act at the next session. I knew well that the Senate were about passing the bill, contrary to the judgment of a majority, under the duress of a *party drill* ; yet, unwise as that was, my feelings were averse to going against the course of my party in that body. These reasons I assigned to the PRESIDENT, whose name is not used *without his express license*. Upon my return to the Senate Chamber, as I had promised to do, I told several Senators, who were regarded as leaders upon this question, that I could not vote for the bill, unless it should be amended as above ; but, if it were so amended, *I would give it my vote*. And I again promised to keep my objections and purposes a secret from the other side, until my own party had been consulted, and *until I should be obliged to act*. The secret was kept sacredly, upon my part, and no Whig Senator knew of my opposition to the bill. With that view it was, that, down to the day before I resigned, I had no conference with persons in Washington, and out of the Senate,



upon this subject, except the President of the United States himself, and one of his Cabinet; unless it may be, that, in general terms, I hinted to one of my colleagues in the House, that I was embarrassed; but he asked no interview, and I sought none. On the day before I resigned, I went into the country with a private gentleman and personal friend, (a distinguished Democrat,) to consult with him upon the single point of my resigning, or of making resistance to the bill. I had frequent conversations with Senators, and during Wednesday and Thursday, before the vote was taken in the Senate, I also held three confidential conferences with the PRESIDENT, by his request, to whom my determination to vote against the bill was always known. It is unnecessary for me to allude to our intimate personal and political relations, or to state the particular conversations that occurred, if it were possible to repeat such conversations with perfect accuracy. Suffice it to say, that the PRESIDENT knew all about my determination, except my intention to resign. I was not willing to tell him of my intention to resign, when there could have been no motive for it, but to constrain his magnanimity into a resistance of my self-sacrifice to his Administration. He saw that my mind was made up, and he respected my scruples, though he was not indifferent to their supposed political consequences to me, or to his Administration. I will not say more.

I had been positively informed, before my last interviews with the President, that the Democratic Senators could not unite, or would not agree, upon the amendment which I had suggested, and the reason assigned to me was, that it would jeopard the bill in the other House to alter it in a word, and the opinion was, that the House would reject it, if it went back. I replied to this, that it was a mistaken calculation, and if not, then the bill ought not to pass with the people's Representatives against it. The sequel proved that I was right, for it had to be returned to them, in consequence of another amendment, and yet it passed, as it had done before. The Democratic Senators must have regarded any effort of mine to amend the bill, *contrary to their wishes*, and after all that had passed, as a *sinister* attack upon their bill, and perhaps they would have been justified in that; and therefore I resolved not to move an amendment myself. As honor and good faith to the party required of me not to attempt amending the bill against their will, I determined to let my opposition be, in all respects, *direct and above suspicion*. So I was exceedingly careful not to do anything which might expose me to censure, or interfere with my confidential party relations with Democratic Senators, and therefore resolved not to be put in array against them at all, until I was forced to the wall, when, (as I told them,) I would be "compelled to follow the dictates of my conscience, party or no party, and leave the consequences with God." There is no Senator, I am sure, who ever doubted my scruples, or if he did, he had self-respect enough to conceal his suspicion. On the contrary, the leading men of that body on the Democratic side, without exception, as well as the President of the United States, expressed themselves to me, upon all occasions, anxiously, but most confidently—all of them concurring in the wish that I could vote for the bill; none doubting my perfect sincerity. They saw and knew the conflict I had to endure betwixt feeling and duty, but which I am not able to describe to you. There was never an hour when I could not have altered my course, without any abatement of their respect, or any sacrifice to my own pride of opinion, if I could have reconciled it to my sense of duty,



and my conscience, under any circumstances, to vote for the bill *as it was*. Yet my convictions were too strong for that. I COULD NOT DO IT. And nothing remained for me but to continue in my place and vote *against* my party friends, or to *resign* my seat, at a period when no other question was likely to be affected by it. I owe it to myself to state, that all those who knew beforehand of my intention to resign, with one voice, dissuaded me from it, for reasons indicative of their confidence and attachment, personal and political; and after my resignation had been laid upon the table of the Vice President, a number of them, without my knowledge, interposed to have its presentation delayed until I could be solicited to recall it. But my own *opinion* never varied upon that point, although my determination occasionally vacillated anterior to the 25th of July, out of deference to others; when, *having done all for the party that an honest man could do, I chose to resign*. And now, after a calm review of all the circumstances, I do not hesitate to declare, that I should do precisely the same thing, were it to be done over again, and these are my reasons:

Democratic Senators, numbering twenty-seven, had agreed to vote for the experimental tariff bill; and so had Mr. Jarnagin, a Whig Senator from Tennessee. I knew that Mr. Jarnagin expected to vote for it, for he not only had told me himself, but I also had reliable information of the fact, that he had given assurances of his fixed determination to do so, which it was hardly possible for him or any man to violate; and I had knowledge, more than a week before I resigned, that, in case of a tie, the VICE PRESIDENT meant to vote in favor of it. The result has proved that I was not mistaken in my facts. From these facts, it may be seen that, with my vote or without it, the bill was destined to pass the Senate. If I had kept my seat, and voted *for* the bill, it would have passed by a vote of twenty-nine! If I had kept my seat, and voted *against* it, the bill would have passed by the casting vote of the Vice President!

But why resign, as my vote against the bill would not have counted in the result? It was not to be expected that I should vote against my party friends without defending my vote. A speech in the Senate at that time would have created great excitement, and no doubt the same persons who now complain of my resigning would have denounced me for holding on to my office, merely for the sake of making war upon my party. My friends in the Senate, who had resolved not to speak, might have had reason to accuse me of selfishness, and probably some of my reasons, uttered in the warmth of a public speech, might have appeared as much like arraigning others as defending myself. In short, I deprecated the possibility of an open rupture with those I loved, but with whom I dared not act, and was ever ready to sacrifice much more than a place in the Senate to avoid it, unless my duty to the country had demanded that risk at my hands—"Country before party, but party before self," has always been my principle of action. If my self-sacrifice did not secure the peace it was intended to propitiate out of the Senate, I am abundantly rewarded by its effects in the Senate. My firm intention was quietly to resign, and not to attack a measure of the Administration after it had passed by my party friends, even for my own vindication. And that determination would have been kept, if the folly or the wickedness of others had not *forced* this explanation from me in self-defence.

But I kept my intention a secret? You have seen, that, to the extent that



this was true, it was an act of *party obedience* on my part, which a partisan has no right to condemn; and that it was neither more nor less than an unselfish act of duty upon the facts already stated. If any one has been inclined to question the policy of the concealment beforehand, the result proved his mistake, since it did no harm to the party or the bill; and, if it had turned out otherwise, the fault would not have been mine. It was a secret of the party at *my hazard*, and instead of being blamed for it, I might reasonably put in a claim for credit. Having once consented not to disclose my hostility to the bill, it became a point of personal honor with me, and a prudent man, who has that to keep, cannot be too cautious in selecting the politicians who are to assist him.

But I resigned without a right to do so, and without the leave of my State? Is that true? Let us see. Suppose every voter in the Democratic party had commanded me to vote for the bill, and yet my own judgment had prevailed, as it did, against the joint influence of my feelings, my individual friendships, and my personal ambition: is there a man who will deny that I still had a perfect right to resign my station and save my conscience? Did any one ever before suppose that *party* had the right to claim dominion over the *man* who served them, as well as the *office* they had bestowed—over the *soul* as well as the *station* of their agent? Never, never.

But in my case there is no room for new theories. The Legislature that elected me passed resolutions, declaratory of their doctrine. They were passed by the *party* that elected me. Whilst the “voice of God in the soul of man” demanded my opposition to the experimental tariff, a Democratic State Legislature, at the utmost only demanded of me to do otherwise “*or resign*,” and for obeying both God and man, as I have, are you called upon to denounce me as treacherous. No man with a due sense of honor and accountability could put himself in a position where obedience to the mandates of others was both imperative and unavoidable; and nobody would be fit to serve the Republic who could. Upon such terms, it would be infamous to serve any party.

But the North Carolina resolutions, of themselves, constitute at once my defence, and a refutation of the absurd notion, that Senators who cannot obey have no right to resign without being criminal.

They are here:

“*Resolutions of the General Assembly of North Carolina.*”

“*Resolved*, That the Legislature of this State have a right to instruct the Senators of this State in Congress, whenever, in the opinion of the Legislature, they misrepresent the wishes of the State, or the magnitude of the occasion shall require such instructions; and that it is the duty of the Senators to obey the instructions given, OR TO RESIGN THEIR SEATS: *Provided*, The instructions to be given and obeyed require not the Senator to commit a violation of the Constitution, or an act of moral turpitude.

“*Resolved*, That while North Carolina, in the opinion of this Legislature, will never object to any amount of taxes, equally apportioned, and imposed for the purpose of raising revenue to support the Government, economically administered, yet this State will never consent to the imposition of taxes, the design and operation of which are to promote the interests of particular occupations at the general expense.

“*Resolved*, That the tariff law, passed by the present Congress, [1842,] is based on protective principles, operating as a bounty to the manufacturing interests; and imposing unjust, unequal, and oppressive burdens upon other branches of industry, and particularly those peculiar to the southern States—and that such being the effects of this law, it is unwise in policy, dangerous to public liberty, and a perversion of that free constitution of Government which was framed and adopted for the protection and security of all, and which will be best sustained by the equal operation of its laws, and the just dispensation of its benefits to every American citizen.

“*Resolved*, That this law is not only protective in its character, and unequal in its operation,



but that it violates the compromise of 1833, unjustly depriving the South of the benefits of that act, precisely at the period when they were to accrue to us, and immediately after we had patiently and patriotically endured all its burdens; and, therefore, in the name of honor, justice, and good faith, the Legislature of North Carolina do protest against this law, and insist that it should be modified, so as to place it on the basis of revenue duties.”

\* \* \* \* \*  
 “Resolved, That our Senators in Congress be, and they are hereby INSTRUCTED, and our Representatives requested, to carry into effect the principles set forth in the foregoing resolutions.

“Resolved, That the Governor of this State be required to forward a copy of these resolutions to each of our Senators in Congress, with the request that they lay them before the Senate of the United States.

“Ratified the 26th day of January, A. D. 1843.

“CALVIN GRAVES, S. H. C.  
 “LOUIS D. WILSON, S. S.”

Are you instructionists? Behold here is a complete exculpation of my conduct. The Legislature says that to “resign” is not only the right, but the “duty” of a Senator, who does not prefer to “obey” their instructions. It is not to “obey” without any other alternative, but it is to obey “or resign”—either one or the other—according to his own choice. So he does one “or” the other, he is faithful. Will the Democracy of North Carolina, who have been forgetful of these instructions, perversely adhere to an error, by which they may have allowed themselves to prejudge one who has spent the best part of his life, and worn out his constitution, as I have, in upholding the Democratic party in North Carolina, against political foes without and selfish demagogues within its fold? Will that be honorable, or just, or Democratic? I leave your own hearts to answer.

Are you non-instructionists? Then remember, that I had it not in my power to sacrifice myself to the country, for my vote could not have prevented, no more than it could have secured, the passage of the tariff act. With or without my vote, the deed would have been done. Remember, too, that these resolutions were passed by my own party, in the Legislature that elected me, and my acceptance of the office, in the view of some honorable friends, might have been held to create an implied pledge that I would “resign,” provided I did not obey their instructions, and therefore, that, independent of any political “duty to obey or resign,” I had come under a personal obligation to do the same thing. Hence, by holding on to my seat and resisting, there would have been some room for censure, but I desired to have no such controversy, and as my resistance would have done no good to the Republic, surely all will agree that it was my perfect right to resign.

It must be confessed that these resolutions did not positively instruct the Senators from North Carolina to vote for the experimental tariff by that name, nor by any other precise description of it. It is more than probable the Legislature had not anticipated the invention of such a tariff; and I am sure I had not. But they did instruct the Senators to “carry into effect the principles declared in the foregoing resolutions;” and a plausible argument, if not a sound one, might be made in favor of the construction, that their “principles,” or at least some of them, would be carried into effect by the experimental tariff, and therefore, if I had remained in the Senate to vote *against* the tariff bill, it might have been alleged, and it would have been charged, that I had *disobeyed* the *instructions* of the North Carolina Legislature merely for the sake of my office. And what could I have answered? Had I told you that the resolutions were obscure,



and that therefore I had not been able to obey, my excuse would have been a false one, for I have already shown you that I dared not vote for the thing, had the instructions been given in the *very words of the act*, when the alternative of resigning was expressly conceded to be both my right and my duty. Had I told you that a higher duty imposed upon me the obligation of *defeating* this new, unwise, and sectional tariff of 1846, in order to save the Republic and the people from those injurious results which, according to my judgment, were almost unavoidable, it would have been also untrue in my case, for, as I have already stated, I *knew* the bill would pass, with or without my vote. I was incapable of resorting to any such false prettexts for my defence. As a christian and a gentleman, it was my duty to assume, as the party press at home would seem to have asserted already, that the "principles" of these resolutions were "carried out" by the experimental tariff; and not being able to obey, it was therefore my right to resign. If there had been any doubt about the other "principles set forth in the foregoing resolutions," there was none upon the principle of the Senator's "duty to resign;" and his "right" to do that was unquestioned and unquestionable.

In so far as the Legislature intended to declare hostility to the tariff act of 1842, I concurred with them; and I again repeat that my embarrassments grew altogether out of this: that the act by which it was proposed to get rid of the tariff of 1842, was, under the circumstances of its presentation, progress, and enactment, and, in view of all its consequences to the party and the country, as bad or worse than the act of 1842; and a support of it by my vote was utterly repugnant to a sense of duty to myself, and of fealty to North Carolina and the Union; so I retired from it as I would from a political pestilence. I did not do it sooner, for the reasons already given; and for the additional reason, that the Governor of the State being a Whig, it was impossible to surrender my office to the Democratic party that elected me; and it was certainly my right, to postpone it as near as practicable until the August elections, and that right I exercised for the benefit of my party, whose minions have been the first to denounce me for it! The people of North Carolina will not, they cannot, in honor and justice, give their sanction to such abominable iniquity. They are too just, too honorable, to approve of the execrable maxim, that "all's fair in politics."

It may be regarded as no slight evidence of the faithfulness with which I adhered to my party obligations, that, after consenting, under the pressure of strong feelings, to vote for the experimental tariff, provided it could be amended so as to postpone its taking effect until 4th March next, I had very considerable doubts whether I had not gone too far. Yet, in my endeavors to avoid complaint, I adhered to my pledge, and nobody was suffered to know of my repentance. The minute before I resigned, it was made known that *I would abide by that offer*, and a final answer was given by those competent to reply, that *the bill would certainly pass without my vote, and any alteration of it would endanger its passage in the other House*, and therefore no amendment would be voted for. This was communicated to me, and thereupon my resignation was handed in to the Senate.

Now, my friends and countrymen, I believe I have told you all, and I submit to your justice and common sense, whether ingenuity and malice combined can



make out more against my conduct with this Administration, upon the subject of the tariff, than an honest difference of opinion? Because the President recommends a tax law, must your Senator therefore approve of it, without crossing a *t* or dotting an *i*? Because the Administration wishes to carry a bill for revenues, must your Senator, against his own judgment, therefore vote for it? Because the Treasury Department may have become committed to a new experiment on the tariff, did it therefore become a part of the creed of Democracy, and bind Senators who were chosen long before this Administration was elected? When, and where, and how, did these become a part of the political faith of North Carolina? Who indoctrinated her and her people? What book teaches it? What precedents enforce it? What age illustrates it? The CONSTITUTION provides that bills for raising revenue shall originate in the House of Representatives; but here is a new doctrine in politics, and a new practice in carrying it out, as well as a new principle for laying duties! And will you proscribe me, simply because I resigned sooner than give my vote thus to revolutionize at once, and without time for deliberation, or opportunity to amend the act, all the past experience of the Government, and to set aside the counsels of *Washington, Jefferson, Madison, Monroe, and Jackson*?

I do not undertake to account, for the present at least, for the extraordinary outrage that was perpetrated upon my rights as a man and a Senator, as soon as I had resigned, and before I had been either asked for my reasons or allowed time to speak to you for myself; nor to remark upon the servile spirit of some in our own State, who were quite eager to follow the ignoble lead. There is a time for all things. But to those in North Carolina, of every party, who aim to direct public opinion, I beg leave to say a word, in which they are interested as much as I can be. How happened it that another Democratic Senator openly denounced this very bill as absurd, disgusting, and unfit to be touched, and HE was not noticed by party censures? How did it come about that another Democratic Senator, in debate, averred, *emphatically*, that the omission of a tax upon tea and coffee, when the country was at war, "*was without excuse*," and not a word of complaint was made against HIM? Whence was it that Democrats of *Virginia* voted against the Administration upon the resolution of notice to terminate the Oregon convention, and no one was heard to proclaim THEIR want of fealty to the party or the Administration? And by what influence was it that *South Carolina* Democrats did the like, and THEY went unrebuked? Whence happened it that a Democratic Senator refused to vote for the *Mexican war*, and still HE was a good party man and Administration man? And that other Democratic Senators voted against amendments to the Independent Treasury, reported upon the recommendation of the Administration, and declared by the *Secretary to be indispensable to his getting along*, and yet THEY were treated as true and loyal, without any open reproaches? And, more than all, how will you account for it, that other Senators have denounced the President for the Oregon treaty, and openly charged him with *fraud, deceit, and hypocrisy*, and still THEY remained "very excellent friends" of this Administration, and received no censures? But a Senator from *North Carolina*, who enjoyed the personal confidence of the President more than any other, supported his Administration more zealously, and, I may say, more successfully, than any other single Senator had done—an early, intimate, unflinching friend, who brought



to his support his heart as well as his head, all he had of both—has been denounced and slandered as a traitor and apostate, merely because he resigned his seat in the Senate into your hands, sooner than violate his conscience by voting for a single measure of legislation, or disturb his Administration friends by resisting it. Such are the undeniable facts: look ye to their meaning.

Your friend and countryman,

WILL. H. HAYWOOD, JR.

WASHINGTON CITY, August 10, 1846.

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APPENDIX, No 1.

SENATOR HAYWOOD'S LETTER OF ACCEPTANCE.

*To the General Assembly of North Carolina:*

GENTLEMEN: I have had the honor to receive, through your Speakers, official notice of my election as a Senator in the Congress of the United States from North Carolina, with a request that I would accept the same.

It has become so much a matter of course to make professions of gratitude for public favor, that I am not without apprehension such professions from me will be regarded as a mere form. But called, as I have been, without any solicitation of mine, to assume the responsibilities of so distinguished a station in the service of North Carolina, it is but a faint expression of my feelings to declare that I thank you, with all my heart, for this mark of your confidence. Though oppressed by a painful distrust of my ability to do the half of what my affection for the State would prompt me to undertake in her behalf, still I believe it is my duty not to decline your nomination. I would that I had more experience and greater capacity for the patriotic work. Such as I have, shall be brought to it without reserve. Our State enjoys, as she deserves, an enviable reputation for honesty and disinterestedness. In her devotion to liberty and the Union, she has been second to none. For submission to lawful authority, a reverence for law and order, and a general regard for personal rights, I do believe there is not such another people in the world. These virtues, while they distinguish the character of the State, do, at the same time, furnish strong motives for faithfulness in her public agents. I trust it may be in my power to show my own appreciation of her partiality, by always regarding the station assigned to me as an instrument to advance her welfare. And if, in the order of Providence, it should be my lot to accomplish any great good, or to assist others in accomplishing it—to prevent any serious evils to our common country, and to North Carolina in particular, or to aid others in preventing them, I shall hereafter rejoice more that the good work was done, than I shall that I did it, and much more than I now can that I have been chosen by you to attempt it.

On the other hand, should it be my misfortune to fail altogether, and to lose at the close the confidence which has been so generously bestowed in the outset, my friends shall not find a reason for my failure in the lack of zeal to do all my duty to North Carolina; nor will my enemies be able to attribute it, in any degree, to a violation of *previous pledges; for, beyond such as my known political principles have authorized you fairly to infer, I am bound by no pledges whatever.* I do not affect to be ignorant that my election to the Senate was made by the Democratic party; and I should spurn the thought of deserting the principles of that party, after having been chosen to fill so exalted a post for the very purpose of helping to sustain them. I am myself heartily and conscientiously a *Democrat*. It is the common lot of public men to encounter calumny and misrepresentation. That would seem to be a tax imposed by freedom upon patriotism, and I am not so vain as to expect to go free. May I not, however, be permitted, on this occasion, without censure from any quarter, to bespeak the candor of all just men against those suspicions which are so common, but so well calculated to weaken the hands of a representative? I do it more for the office of State Senator, than for myself, and not so much to protect my own feelings, as to fortify the station I must occupy—suspicions, I mean, of the political integrity of a representative, begetting distrust, if he fails, on all occasions, to range himself, as a servile follower, behind some great party captain; and, on the other hand, causing even respectable men, to their own dishonor, and that of human nature, to think of enticing a political opponent from the path of rectitude, by pretending to anticipate his treachery, if ever he happens to separate from his own party leaders upon any question whatever. The dread of false clamors, by selfish men of one's own side, and the mortifying enticements of flattery from the other, springing alike from this uncharitable source, constitute serious discouragements to



a scrupulous and sensitive mind, against accepting a public office; whilst to venal or to timid men in office, they are perilous temptations to swerve from the manly performance of their duty. It must needs be that parties will exist; and perhaps it is right and proper that they should. I am not to be understood as deprecating party; but only the malignant ingenuity with which it strives to fasten itself upon all and any and every question which can be presented. This latter spirit is an undeniable evil. It makes us slaves to the bad passions, not only of ourselves, but of others also. It destroys the salutary influence of a well-regulated and patriotic party spirit, having for its object the happiness of the people, and looking to the welfare of the country. Honest statesmen have always been more or less party men. There are, however, as there always must be, some questions which concern our Government above the rightful control of *mere party*—questions, in the determination of which, upright minds, though attached to the same party, may differ without crime in either; and legislators for the Union, though belonging to opposite parties, may happen to concur without bad faith in either—questions upon which it were as factious to adhere to a party, contrary to the convictions of one's understanding, as it would be dishonorable upon others of a different character, to desert party, and to falsify the professions, by means of which he had been elevated to office. And is it not a dictate of prudence in the people to multiply, rather than to diminish, the number of these questions, as it should be a principle of honor among those who aim to give a direction to the popular mind, to allow to their representative that there are some points upon which, being left to think for himself, he will be expected to act independently according to his own judgment, without thereby exposing himself to be claimed as an ally by his enemies, or denounced as a traitor by his friends? Though a party man, therefore, upon measures which *legitimately* connect themselves with the acknowledged principles of party, and by no means approving the hypocrisy of statesmen or politicians who may feign to live *altogether* above its atmosphere, I dare not surrender the *State* to party, did fealty to the latter make it necessary to do it; nor will I ever sacrifice my party to *self*, should it be in my power to do that.

Relying upon the blessing of God on my efforts to serve North Carolina, and, as *her Senator*, adhering to what is right for its own sake, in public as in private life, I shall strive to deserve alike the confidence of the State, and of the party by whose favor this high trust has been confided to me. I am your friend and countryman,

WILLIAM H. HAYWOOD, JR.

RALEIGH, January 16, 1843.

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APPENDIX No. 2.

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RESIGNATION OF MR. HAYWOOD.

IN SENATE, *Monday, July 27, 1846.*

The PRESIDENT laid before the Senate the following letter from Mr. WM. H. HAYWOOD:

WASHINGTON CITY, *July 25, 1846.*

*To the Senate of the United States:*

I hereby respectfully resign my seat in the Senate as one of the Senators from North Carolina.

I have the honor to be, your obedient servant,

WM. H. HAYWOOD, JR.

Mr. WEBSTER (in the course of his speech upon the tariff bill) took occasion to say that it was a circumstance a good deal characteristic of the state of things in which they now found themselves placed, and strongly indicative of the absorbing interest which belonged to the question before them, that he had not the honor, to-day, to address a full Senate. Since the commencement of his observations on Saturday, an honorable member of the Senate from one of the Southern States [Mr. Haywood] had vacated his seat in that body. They would probably soon hear from that gentleman himself the reasons which led him to leave a situation, which he had occupied with so much usefulness and reputation. He was not otherwise acquainted with those reasons than as he gathered them from the very extraordinary publication in the Government paper of Saturday evening. He inferred from that publication that the honorable member left his seat from an inability to support the measure of the Administration now before them, and from a great unwillingness on the other hand to disoblige his party friends and connexions by voting against it. As that gentleman was gone, he might speak of him as a man of character and standing, here and at home; a man of learning and attainments, of great courtesy, of unsurpassed industry and attention in the discharge of his public duties; and, as they all knew, (so far as they might judge of his course in the Senate,) an intelligent and consistent friend of the present Administration.

Now, sir, (continued Mr. WEBSTER,) I confess I am ashamed of my country when I see a gentleman of that character, on retiring from this place, from such a motive, hunted, abused,



defamed, according to the degree of abuse and defamation which some writer for the Government, in the paper of the Government, sees fit to pour out against him. It is a disgrace to the civilization of the age; it is a disgrace to American civilization; it is a disgrace to this Government; it is a disgrace to the American press.

IN SENATE, Tuesday, July 28, 1846.

Mr. BENTON rose and said: I rise to ask the indulgence of the Senate to make a remark upon an occurrence of yesterday, which a slight delay in arriving at my seat prevented me from making at the time it happened. I allude to the resignation of Mr. Senator Haywood, read to the Senate yesterday morning at the opening of the session, a few minutes before I came into the chamber. I ask the indulgence of the Senate to say now what I should have said then, if I had been present.

[“Leave, leave,” “proceed,” from various parts of the chamber.]

I have to say, then, that I was cognizant of all the motives and feelings which actuated Mr. Haywood, from the beginning to the ending of the circumstances which led to this painful occurrence. He was absent from the city when the bill which has occasioned his resignation came up from the House of Representatives. On his return to the city, and within a few minutes after his appearance in this chamber, he called me aside, to let me know that he had insuperable objections to the bill, and desired to talk it over with myself and other friends, with a view to amend it into a form which would enable him to support it. To the Senator from New York, who sits on my right, [Mr. Dix,] he said the same thing at the same time; and ended with asking to see us both at my house that evening. Of course, we met as requested. It is needless to detail what passed: a general statement will be sufficient as the basis and justification of the opinions and sentiments which I propose to express. Mr. Haywood went over the grounds of his objection to the bill, and declared the impossibility of his voting for it unless essentially amended. I agreed with him in his objections—I mean objections generally, both to the bill, and to the mode and manner of getting it up, and getting it through—but objected to all attempts to amend it, for such reasons as I had the honor to expose to the Senate on yesterday; and stated my own determination to vote for it, objectionable as I held it to be, as the means of putting an end to the act of 1842. He reiterated the impossibility of voting for it; and from that moment, the question with him was, between a motion to postpone the time for the bill to take effect, or resignation. I let him know that I could not vote for the postponement, and thought he ought not to resign, but do as his friends did who thought as poorly of the bill as he did, but who would vote for it as a means of putting an end to the act of 1842. From this time, which was near a fortnight ago, until within two hours before his resignation, our communications on the subject were frequent, and indeed almost daily. I have made this general statement, Mr. President, for the purpose of showing that I know the motives and feelings—that I have had the best opportunity of knowing the motives and feelings—under which the Senator from North Carolina resolved on his resignation, and have a right to bear testimony to the purity, the patriotism, and the elevation of sentiment under which that Senator acted. He resigned to avoid a vote against the bill. He resigned with a full conviction that his resignation would not affect the fate of the bill—that it would pass either with or without his presence; and that his withdrawal would, in fact, facilitate its passage. These I know to have been the motives and feelings under which he acted; and I discharge a duty sacred to personal and political friendship—sacred to private and public worth—in taking this opportunity, on this elevated floor, to bear witness to the noble and exalted sense of honor and duty under which my honorable friend has ceased to be a member of this body. This is what I have to say in relation to the motives and feelings of Mr. Haywood, and of his high and honorable purpose, in the act of resignation, which a conscientious sense of duty imposed upon him. Further than this, the occasion, as it concerns him, would not require me to go. I have paid the debt of justice to him. But I look to ourselves—this Senate—which has to regret the loss of one of its most intelligent, courteous, and agreeable members—I look to the country, the whole Union, which has to witness the loss of a Senator who could expand his views to the wide expanse of the entire Union, when its honor and its interests were at stake—and I turn to myself, and have to lament the loss of a personal friend, of hereditary friendship through generations, whose society is pleasant to me—the loss of a political friend, whose aid and counsel has often been serviceable to me—and upon whose future aid and counsel I had largely counted, in assisting me to discharge my duty to my country in the arduous circumstances in which she is now placed.

Mr. MANGUM said he was very much gratified that the Senator from Missouri had thought proper to advert to this matter. He was the more so, inasmuch as the organ of the Government, in this city, had assailed Mr. Haywood’s public and private character with such a degree of ferocity, and, in his judgment, so unjustly, that he thought every liberal Senator would stand forward and sustain and commend what every one must acknowledge to be the perfect purity and disinterestedness of his course in regard to the subject which was the occasion of his resignation. No man in the State of North Carolina, perhaps, differed more widely than himself from the late Senator in political sentiment; that difference had long existed, and was likely to continue; but political considerations could never be permitted to interfere, so far as he was concerned, with feelings of personal respect for a gentleman whose honor and probity were



uncontaminated and entirely above suspicion, though assailed in the unworthy manner which they had witnessed in the Government paper in this city. Without adverting to the wisdom or judiciousness of the course adopted by his late colleague, he was satisfied that he had acted upon the best consideration, and upon his honest conception of what was due to himself and to the country as a patriotic citizen; and he felt that it was due to him that this expression should be made public, in contravention of the insidious slanders which were propagated by the Government paper; and that the State of which he was so able a representative should not be deceived by any false representations.

Mr. M. further felt that it was due to the good old North State that her public servants here should be vindicated against aspersions touching purity and fidelity in office—aspersions unknown in that State, from the period of her colonial history, as affecting either the judicial ermine or legislative integrity. Errors both she and her servants may have fallen into, but the tongue of slander had never hitherto alleged personal corruption, within his knowledge, of any of her public servants, whether in legislative or judicial capacity. Her character had been uniformly marked with dignified moderation, as pure as it was unpretending; and he (Mr. M.) hoped, when he should close his eyes upon earth, that he might leave with the belief that her character was unspotted and unstained by those upon whom she had devolved high responsibility, and that, for many and long years thereafter, she might preserve that perfect purity, far more precious than any false glare unaccompanied by virtue.

Mr. Haywood acted, in regard to the subject under review, with the most perfect delicacy. He believed there was not a Whig in that body (if there was an exception, he hoped such of his friends as might chance to constitute that exception would indicate it now) who had any knowledge of Mr. Haywood's purpose to resign, unless by inference, (for he seemed recently to be uneasy and unhappy;) and he knew also that, if Mr. Haywood had found that his vote could have been made effectual for his country's interest, he never would have abandoned his seat, but would have taken the responsibility of defeating the measure; but finding that his vote was not likely to be effective, and that the result would be the same, rather than throw himself into conflict with his friends, he resigned his seat. In making up his mind to retire from the Senate, Mr. Haywood, he believed, had rested his determination, not on any influence which it might produce upon himself politically, but upon his conscientious convictions of right. He had determined, as a gentleman and a christian, after having laid before his friends on his own side of the Chamber his convictions, and he believed he had had no consultation with a single Whig friend upon the subject.

Sir, (continued Mr. M.) I do most cheerfully and cordially concur in the sentiments expressed by the honorable Senator from Missouri, that Mr. Haywood, in forming his purpose, was under the influence of none other than considerations high, elevated, pure, and honorable. He [Mr. Haywood] might despise a rabid press—to abuse is its vocation. He might despise the servitors of power, and their vile, mercenary, and sycophantic followers—the jackalls that would despoil the sanctuary of the grave, and exhume reputation to be offered in sacrifice, in burnt sacrifices, to the passions of their masters and corrupters—and repose upon the esteem of good and just and liberal men.

Mr. M. felt sure that Mr. Haywood, at no period of his life, enjoyed more of the respect and consideration of liberal men of all parties in his native State than he has for the last several months, and does at the present moment. North Carolina will feel justly proud that she is the venerable mother of three Democratic Senators who have recently rendered signal and distinguished service to the country upon another great question—Oregon; and, coöperating with the Whigs, saved the country from all the destructive horrors of a British war. [Mr. M. referred to his late colleague and the distinguished Senators from Missouri and Mississippi.] With the profoundest political difference upon the most of questions, he (Mr. M.) yet felt that his State had lost an able, vigilant, and faithful public servant, and he a colleague entitled to his respect and kindly consideration—at all events to this naked act of justice to his integrity, purity, and perfect conscientiousness in this last act, his resignation.

Mr. DIX said:

Mr. PRESIDENT: I rise to express my concurrence in what the Senator from Missouri [Mr. BENTON] has said of the opinions expressed by Mr. Haywood in respect to the tariff bill before the Senate. About two weeks ago, Mr. Haywood, in an interview with the Senator from Missouri and myself, and in other conversations with me, said that he could not vote for the bill, and that he might find himself in the embarrassing position of being compelled to resign his seat, or separate from the majority of his political friends by voting against it. I differed in opinion with him in respect to the propriety of his resignation. As his friend, I said what it was proper for me to say to dissuade him from it. He acted on his own judgment and his own responsibility in the performance of what he deemed a duty to himself and the public; and it affords me pleasure to bear my testimony to the purity of the motives by which he was actuated. In all my intercourse with Mr. Haywood, on this occasion as on all others, I have been strongly impressed with the elevation of his character and the strict honor by which he is governed, both in his private and his public conduct.



Mr. NILES stated his full and entire conviction that the motives by which the late Senator from North Carolina had been actuated were not of a selfish character; and, as there must have been some motive for taking the course he had taken, he was inclined to attribute that motive to some other source. He believed that the severe castigation which had been dealt out to him, was not so much intended for the gentleman over whose back it was applied, as it was for others. What could not well be said directly to those who remained there, might be safely said to one who was now officially powerless. Other publications had been made through the same channel, containing the most false insinuations against Senators and others, representing that capitalists and their agents were employing large sums of money for purposes of bribery and corruption. No one could doubt the purpose and intent of all these publications: their purpose was neither more nor less than to destroy the freedom of action in Congress. He could discover no other purpose; and, if it had come to this, they were progressing rapidly to a state of things a little inconsistent, he thought, with free and enlightened legislation. Where was the difference betwixt the exercise of a power of this kind now attempted to be brought to bear upon the action of Senators, and that sort of influence arising from intimidation, which they were informed had, in other countries and in other times, in revolutionary times, controlled other great legislative bodies—the influence of combinations, of associations, formed to control, not by arguments, but by threats and by instruments of death?

Sir, said Mr. N., these are evil times. If we are not to be left free to act here on all questions, and especially upon those of the greatest magnitude, especially upon those affecting most deeply the interests of our constituents, then our legislation will neither receive nor deserve public confidence. What must be thought of a law that can find its way through Congress by means like these? What must be thought by the country when Senators are overawed and controlled, when it is known that their votes are not the result of their judgment, but of these deleterious influences? Sir, I am gratified that this thing has been alluded to. Truly, we have fallen upon evil times; and, sir, when the history of these times shall come to be written, as written they must be, the pen of the historian will scarcely be able to do them justice. For one, having taken some responsibility in regard to this matter, I have no fear as to what will be the public judgment upon my course. I do not allude to these things as affecting myself in the slightest degree. My opinions I am at all times ready to avow; and I am not to be turned from my course in the discharge of my duty by slanders or insinuations of any kind. If I had supposed that such a thing as this new tariff bill would ever have come here, I would have made an early movement against it; but I never supposed that such a thing was probable, and therefore took no trouble about it. I did not suppose it possible that a bill like that would ever reach this body. When it came here, I met it as I believed it my duty to meet it; and I can only say that I shall continue my hostility to it, and, whatever may be the issue, I shall console myself with the reflection that I have done what I could do to avert the evil which it must bring upon the country.

Mr. BERRIEN said it was not his purpose to express an opinion as to the wisdom of the course which the late Senator from North Carolina had thought proper to adopt in retiring from that body; that was a matter for his own judgment and discretion. He stood in no relation to that gentleman which authorized him to be consulted upon the subject, or which authorized him to offer advice. But, looking at the course of that gentleman while a member of that body, during the period in which they had served together, and looking at the singular spectacle which was presented to the American people, of a ruthless assault made upon a Senator of the United States for fulfilling, according to the convictions of his own judgment, the duties which his situation imposed, he felt it to be his duty (and he took great pleasure in fulfilling that duty) to express his own belief that, whatever might have been the correctness or incorrectness of the judgment of the Senator in determining upon the course which he had pursued, he had been actuated by a sincere conviction as to what his duty as an honest man and a patriot required of him.

Mr. BAGBY rose and said:

Mr. PRESIDENT: I was not aware of what was passing here before I entered the chamber, nor do I now understand precisely how the resignation of a late Senator, the Hon. William H. Haywood, from North Carolina, becomes the subject of remark in this body, of which he is, by his own voluntary act, no longer a member. But if the object is to bear testimony to the dignity and courtesy of his deportment, and the purity and elevation of his character, public and private, I cheerfully add the tribute of my approbation to all that has been or can be said. I have made it a rule through life, to endeavor to do justice to all men in public and private life. From this rule I cannot depart in the case of the late Senator from North Carolina. It is due to him, then, to say, that in repeated conversations within the last two weeks, he has informed me that he was determined, unchangeably, not to vote for the bill now under consideration, to regulate the duty on imports, unless it was amended so as to postpone its operation until after the 4th of March next. He also stated his determination to resign sooner than vote for the bill. In forming this determination, I saw the conflict through which he passed in separating himself from a great party to which I have no doubt of the depth and sincerity of his attachment, and to which he was an ornament, and discharging his duty upon a great measure according to the dic-



tates of his own conscience. In that conflict his conscience triumphed. It is proper to state that I differed totally from Mr. Haywood as to the propriety of the course he was about to pursue, and so informed him. But he acted upon his own responsibility to his God and his country. It is not my province, nor is it my purpose, to vindicate Mr. Haywood from the imputations and aspersions that have been cast upon his motives for voluntarily retiring from one of the most honorable positions in the world. His elevated patriotism, his pure and spotless character, are a sufficient shield and protection against all such assaults. In pursuing a course which, in his judgment, was pointed out by a solemn sense of duty, I have no doubt that Mr. Haywood was governed by motives worthy of a patriot, worthy of a man entertaining a high and scrupulous sense of honor, worthy of a christian.

Mr. CRITTENDEN said he had never seen Mr. Haywood, nor had any acquaintance with him, until they became associated in that body; and for a time, owing to trifling and slight circumstances, he had rather conceived an aversion towards him. Since then, however, although their intercourse had been slight, the conduct of that gentleman had dissipated every prejudice which he had entertained against him. He had given abundant evidence that the ends he aimed at were those of patriotism, honesty, and integrity. In the discharge of his duties in the committee over which he presided, he was scrupulous and correct; so much so, that, unconsciously and insensibly, he (Mr. C.) began to find himself (in common, he believed, with the other members of the Senate) placing the most perfect reliance upon any proposition emanating from him, in full confidence that the subject had been impartially considered. As to any impeachment of integrity on account of his resignation, nothing, it seemed to him, could be more preposterous. He had given the very highest evidences of integrity and purity: no man could entertain a doubt as to his integrity. And, in common with gentlemen who had expressed their sentiments in regard to this matter, he united in the regret that an act, in itself so high, so self-sacrificing—that gentlemen who approved the act would not, perhaps, have done the same; an act which showed a high degree of sensibility; an act by which he had sacrificed one of the proudest offices under our form of Government,—should be thus misrepresented; that he should be charged with desertion and loaded with opprobrium. It was a gross outrage, committed against a man of unblemished and unimpeachable integrity.


Mr. ARCHER said it was to him a subject of some surprise that any Senator should deem it necessary to vindicate the character or the conduct of the late Senator from North Carolina. If his character for integrity and honesty of purpose had been doubted before, this very act would have impressed it with the seal of the most perfect integrity and elevation. Like the honorable Senator who preceded him, he had felt no predilection in favor of the North Carolina Senator. On the contrary, a prejudice had been impressed upon his mind which had not been wholly removed until two days ago. This act of resignation had afforded the fullest and most conclusive testimony of his probity and integrity. It was not on account of *his* reputation that they ought to feel solicitude; that was far beyond the reach of detraction; but it was that a gentleman, standing deservedly high in the estimation of every one, should be assailed by such infamous attacks of a party press. It was to this that the indignation of every patriotic man should be directed. What had the gentleman done? Why, finding that his own liberal and enlightened views were to be thwarted and controlled by party domination, he resolved to disengage himself from the influence of party, and retire to the walks of private life; and for this he was assailed by gross vituperation and abuse. He repeated that no vindication was needed upon that floor, and he (Mr. A.) should think that he owed an apology to the Senate for offering a word on the subject, had he not been preceded by other gentlemen. He believed a year would not pass away before all men of all parties would concur in rendering to that gentleman the highest degree of approbation.

### APPENDIX, No. 3.

#### VOTE ON THE TARIFF BILL.

The yeas and nays were called upon ordering the amendment to be engrossed and the bill to a third reading, and resulted yeas 27, nays 27, as follows, viz:

YEAS—Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Benton, Breese, Bright, Calhoun, Cass, Chalmers, Colquitt, Dickinson, Dix, Fairfield, Hannegan, Houston, Lewis, McDuffie, Pennybacker, Rusk, Semple, Sevier, Speight, Turney, Westcott, and Yulee—27.

NAYS—Messrs. Archer, Barrow, Berrien, Cameron, Cillely, Thomas Clayton, John M. Clayton, Corwin, Crittenden, Davis, Dayton, Evans, Greene, Huntington, Johnson of Louisiana, Johnson of Maryland, Mangum, Miller, Morehead, Niles, Pearce, Phelps, Simmons, Sturgeon, Upham, Webster, and Woodbridge—27.  Mr. Jarnagin did not vote.

The VICE PRESIDENT voted in the affirmative.

The question upon the PASSAGE of the bill was then taken by yeas and nays, and decided in the affirmative, by the following vote:

YEAS—Messrs. Allen, Ashley, Atchison, Atherton, Bagby, Benton, Breese, Bright, Cal-



houn, Cass, Chalmers, Colquitt, Dickinson, Dix, Fairfield, Hannegan, Houston, *Jarnagin*, Lewis, McDuffie, Pennybacker, Rusk, Semple, Sevier, Speight, Turney, Westcott, and Yulee—28.

NAYS—Messrs. Archer, Barrow, Berrien, Cameron, Cillely, John M. Clayton, Thomas Clayton, Corwin, Crittenden, Davis, Dayton, Evans, Greene, Huntington, Johnson of Louisiana, Johnson of Maryland, Mangum, Miller, Morehead, Niles, Pearce, Phelps, Simmons, Sturgeon, Upham, Webster, and Woodbridge—27.



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Haywood, William Henry, 1801-1852.  
 Address of Hon. William H. Haywood, Jr.,



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